

The Point of a Ban: Or, How to Think about Stem Cell Research

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Meilaender's method

Meilaender explores ideas in ethics of war and applies those insights to the topic of stem cell research.

SCR and Just War Theory

Two main types of rules that are meant to ensure justice in times of war

1. "Justice of War Rules": when is it permissible to go to war?
 - govern the resort to war
 - must have a just cause
2. "Justice in War Rules": what is permissible to do in war?
 - govern conduct in war
 - the 'discrimination rule': how do we discriminate which actions to partake in war?
 - harmless civilians analogous to embryos

SCR and Just War Theory

Three ways to interpret the 'discrimination rule':

1. Utilitarianism (consequence based)
 - The 'discrimination rule' is a rule of thumb, a general guideline that can be set aside if the consequences favor doing so.
 - Yes, innocent people will be intentionally killed, but more people will be saved in the long run.
 - In the same way, innocent embryos will be killed, but more people will be saved (cured) in the long run.
2. Strict deontologist (rule-based)
 - "do justice even if the heavens fall". One must hold that the rules of war are a series of categorical and unqualified prohibitions, and that they can never rightly be violated even in order to defeat aggression."
 - The analogous position for SCR would be that intentionally killing embryos is always wrong even if the prospect of curing disease is there.

SCR and Just War Theory

Three ways to interpret the 'discrimination rule':

3. 'utilitarianism of extremity' (note: this is Meilaender)

- » "'do justice unless the heavens are (really) about to fall.' ...Ordinarily, a notion with just cause ought to accept defeat rather than try to win by fighting unjustly. Sometimes, however, in very special circumstances, a nation at war may face an enemy who simply 'must' be defeated, whose possible victory constitutes 'an ultimate threat to everything decent in our lives'. The paradigmatic example of such an enemy...is the Nazi regime" (reader 56-7)
- » 'Discrimination rule' is a stringent (near absolute) prohibition that cannot be set aside, even in the face of good consequences.
- » So, we'll have to prolong the war (maybe even lose it) because there are things that are just not done, namely, killing innocent people.
- » In the same way, we'll have to prolong degenerative diseases
- » Only in cases of Supreme Emergency (e.g., like the Nazi regime) are we permitted to violate the 'discrimination rule'.

Supreme Emergency?

But what are the diseases that embryonic stem-cells can treat grave enough to constitute a Supreme Emergency?

Let's look at identifying markers for a "Supreme Emergency" in warfare, then relate it to SCR.

Identifying markers in warfare:

- 1) The threat from the enemy nation must be imminent.
- 2) The threat must extend to the world at large
- 3) The enemy nation to be defeated must be a genuine threat to deeply held universal moral values (it's in this sense that the threat must be catastrophic).
- 4) It must be evident that violating the 'discrimination rule' is the ONLY way to stop the threat.

Question: are the diseases that embryonic stem-cells can treat grave enough to constitute a Supreme Emergency?

What a Supreme Emergency may mean in context of SCR:

1. We're on the verge of seeing the vast majority of the world's population ravaged by disease (an 'I am Legend' scenario)?

Or, rather,

2. Is it something like just seeing a slight increase in the already unacceptable number of people who have diseases today?

Meilaender seems to think it's 1 and not 2, and we're obviously not at that stage yet.

It hasn't been shown that SCR is the only way to avoid being 'defeated' by disease.

- new diseases will always be cropping up.
- we can still make progress (albeit slower) against disease by methods that don't involve the sacrifice of embryos.

Objections to Meilaender

Perhaps we're not at a world-wide pandemic like state yet, but if we don't do SCR now, we could very well get there.

A possible response by Meilaender:

- If it can be shown that doing SCR now is the only way to keep things from getting vastly worse (we'll reach a pandemic-like state), then perhaps doing SCR now is permissible.
- But absent compelling evidence, we're merely in the realm of speculation.

Objections to Meilaender

Our goal is not to keep things from getting terribly worse, rather, it's to make things tremendously better than they are now.

Meilaender's response:

- But we shouldn't bring about good at the price of committing injustice

Other questions to think about

If embryos are going to be discarded anyway, why not engage in SCR?

What implications, if any, does the SCR controversy have on the practice of IVF?

Is it morally objectionable to clone embryos just for their stem cells?